SINGLE BENCH

C.S.100 2

IN THE HIGH COURT OF JUDICATURE BILASPUR

W.P. No. 3575/2006

PETITIONER : Abraham Tirkey, S/o Paulose Tirkey, Aged about 51 years, R/o Forest Colony Dharamjaigarh, Distt. Raigarh (C.G.)

VERSUS

RESPONDENTS

1. State of Chhattisgarh Through, Secretary Forest Department, DKS Bhavan, Raipur (C.G.)
2. Principle Chief Conservator of Forest, Forest Department, Jail Road, Raipur (C.G.)
3. Conservator of Forest, Forest Department, Bilaspur Circle, Bilaspur. (C.G.)

P.R. No. 3575/06 Presented by Shri Vivek Verma dated 12/7/06

WRIT PETITION UNDER ARTICLE 226 & 227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRIT IN THE NATURE OF MANDAMOUS TO THE RESPONDENTS.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(30)

**मामला क्रमांक** W.P.3515/ **सन्** 2006

**आदेश पत्रक (पूर्वानुबद्ध)**

| आदेश का दिनांक तथा आदेश क्रमांक | हस्ताक्षर सहित आदेश | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|

**18-7-2006**

Mr. P.S. Koshy, counsel for the petitioner.

Miss Deepali Pandey, Panel Lawyer for the State/ respondents, on advance copy.

Heard both the counsel.

By the instant writ petition, the petitioner has questioned the transfer order dated 7-7-2006, whereby he has been transferred from Dharamjaigarh to Dantewada. The petitioner is working as Sub Divisional Officer in the Forest Department.

Learned counsel for the petitioner submits that the petitioner remained in the Naxalite affected area from 1979 to 2001 and he has been again transferred to the Naxalite affected area, therefore, the transfer is bad. In the circumstances, he further submits that the petitioner may be allowed to make a representation to respondent No.2, and respondent No.2 be directed to decide the same, to which learned counsel for the State/respondents has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, without expressing any opinion on merit of the case, the prayer made by learned counsel for the petitioner is just, fair and reasonable. Therefore, the petitioner is allowed to make a detailed representation along with a copy of this petition to respondent No.2, within a period of 10 days from today and in turn, respondent No.2 shall decide the representation of the petitioner in an objective manner considering the points raised by the

P.T.O.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(31)

**मामला क्रमांक** ...W.P.3515/... **सन् 2006**

**आदेश पत्रक (पूर्वानुबद्ध)**

| आदेश का दिनांक तथा आदेश क्रमांक | हस्ताक्षर सहित आदेश -2- | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|
| Soma | petitioner, within a period of 30 days from the date of receipt of the representation, in accordance with law.<br>With the direction aforesaid, the petition stands disposed of.<br>In view of this order, M.(W.)P.No.2704/2006 stands disposed of.<br>Parties are entitled for certified copy of this order.<br>**Sd/-**<br>**L.C. Bhadoo**<br>**Judge** | |

P.T.O.

19/7/06 20-7-06